

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STEWART SMITH , individually and on behalf of all others similarly situated v. AMERICAN-AMICABLE LIFE INSURANCE COMPANY OF TEXAS	CIVIL ACTION NO. 22-333
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ORDER RE: DEFENDANT'S MOTION TO DISMISS

AND NOW, this 4th day of April, 2022, for the reasons in the foregoing Memorandum and after careful consideration of Defendant American-Amicable Life Insurance Company of Texas's Motion to Dismiss (ECF 7), Plaintiff Stewart Smith's Response (ECF 9), and Defendant's Reply (ECF 10), it is hereby **ORDERED** that Defendant's Motion is **GRANTED**. Plaintiff's Complaint is **DISMISSED**, without prejudice and with leave to file an amended complaint within twenty-one (21) days.

BY THE COURT:

s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.